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PATENT & TRADEMARK OFFICE

PATENT  
Atty. Docket No. BSC-186  
(1002/255)

#5  
ELECTION  
S. Bryce  
1/29/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Desmond *et al.*

**SERIAL NUMBER:** 09/973,562

**ART UNIT:** 3738

**FILING DATE:** October 9, 2001

**EXAMINER:** William H. Matthews

**TITLE:** Prostatic Stent and Delivery System

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This paper responds to the Restriction Requirement, mailed from the U.S. Patent and Trademark Office on December 18, 2002, in connection with the above-identified patent application.

**REMARKS**

The Examiner has required Applicants to elect one of four perceived inventive concepts to which the claims must be restricted: claims 1-18 (Group I), drawn to stents, classified in class 623, subclass 1.15; claims 19-29 (Group II), drawn to stent delivery systems, classified in class 606, subclass 108; claims 30-33 and 35-37 (Group III), drawn to method of using a stent, classified in class 623, subclass 1.11; and claim 34 (Group IV), drawn to method of making a stent, classified in class 216, subclass 10.

Applicants hereby elect the claims of Group I, namely, claims 1-18. In view of the election of Group I, Applicants also elect the species of stent depicted in Figures 1-4. At least claims 1-12, 17 and 18 read on this species. It is nevertheless understood that non-elected claims depending from otherwise allowable base claims, while withdrawn from consideration, will be allowable upon allowance of the base claims.

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